IN THE HIGH COURT OF UTTARANCHAL AT NAINIAL

W.P.No. 928 (M/B) of 2003

Lalmani Semwal
S/o Bhagwati Prasad Semwal,
Proprietor M/s Sanwal Filling Station,
Rishikesh-Joshimath-Badrinath Road,
Joshimath,
Distt. Chamoli …….. Petitioner

Vs.

Union of India and others …… Respondents

Mr. J.P.Joshi, Advocate for the petitioner.
Mr. Rakesh Thapaliyal, Advocate for the respondents.

Coram: Hon. S.H. Kapadia, C.J.
Hon. M.M.Ghildiyal, J.

Dated: 08.10.2003:

PC:

By this writ petition, applications to establish petrol pumps at Joshimath were invited. It is the case of the petitioner that there is an agreement between Oil Companies under which certain norms have been prescribed. Under these norms, distance between two petrol pumps should be of 15 kms. It is the case of the petitioner that in this case, norms have been violated. Firstly, the matter concerns factual disputes. It will depend on the manner in which the distance is computed. Secondly, in any event, one has to go by the ground-realities. State of Uttaranchal is essentially a hill area. The norms have to be complied with in a flexible manner. Under the circumstances, no interference is called for.

Writ petition is rejected.

(M.M.Ghildiyal, J.) **(S.H. Kapadia, C.J.)**

AK